

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

JIMMY McCAY, III,

Plaintiff,

v.

B. SIPES, et al.,

Defendants.

Case No. CIV-23-1102-J

ORDER

Plaintiff, a state prisoner appearing pro se, filed a Complaint under 42 U.S.C. § 1983 alleging constitutional violations occurring at the Allen Gamble Correctional Center (formerly known as Davis Correctional Facility). [Doc. No. 1]. The matter was referred for initial proceedings to United States Magistrate Judge Shon T. Erwin consistent with 28 U.S.C. § 636(b)(1)(B), (C). Judge Erwin screened the Complaint and issued a Report and Recommendation finding that venue was proper in the United States District Court for the Eastern District of Oklahoma and recommending transfer to that jurisdiction. [Doc. No. 4]. Plaintiff did not object and has waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 4] and TRANSFERS this matter to the United States District Court for the Eastern District of Oklahoma.

IT IS SO ORDERED this 12th day of January, 2024.


BERNARD M. JONES
UNITED STATES DISTRICT JUDGE